

E-FILED - 6/3/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JERRY GERALD DELAROSA,

No. C 08-05280 RMW (PR)

Petitioner,

ORDER GRANTING SUA SPONTE
EXTENSION OF TIME FOR
PETITIONER TO FILE OPPOSITION
TO DEFENDANT'S MOTION TO
DISMISS

v.

M. MARTELL, Warden

Respondent.

Petitioner, a state prisoner, filed a pro se petition for a writ of habeas corpus. The court directed respondent to file an answer to the petition and granted petitioner leave to file a traverse within thirty days after the answer was filed. In lieu of filing an answer, respondent has filed a motion to dismiss. Petitioner has not filed an opposition to the motion to dismiss.

Accordingly, the court on its own motion GRANTS petitioner an extension of time in which to file his opposition to respondent's motion to dismiss. The time in which petitioner may file his opposition to respondent's motion to dismiss will be extended up to and including **forty-five (45) days** from the date this order is filed.

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Respondent shall file a reply brief no later than **fifteen (15) days** after the date petitioner's opposition is filed.

IT IS SO ORDERED.

DATED: 6/3/09


RONALD M. WHYTE
United States District Judge

United States District Court
For the Northern District of California